

PETER J. VISCLOSKY  
1ST DISTRICT, INDIANA

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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-1401**

2256 RAYBURN BUILDING  
WASHINGTON, DC 20515-1401  
(202) 225-2481

7895 BROADWAY, SUITE A  
MERRILLVILLE, IN 46410  
(219) 795-1844

Call Toll Free  
1 888 423 PETE  
(1 888 423-7383)

INTERNET:  
<http://www.house.gov/visclosky/>

April 20, 2011

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street Southwest  
Washington, D.C. 20554

Dear Julius:

I write to express my support for a recently published Notice of Proposed Rulemaking on proposals to streamline and clarify the FCC's rules regarding retransmission consent agreements.

When retransmission consent provisions were first introduced in 1992, Congress's intent was to ensure that the public would retain access to local broadcast programming as cable television gained in power and influence. Today, it is clear that our original intent has been adapted by broadcasters, who now use these provisions to claim that they may pull their signals from video providers unless these providers agree to pay rapidly escalating fees.

I am confident that you will ensure that the all proposals to improve the retransmission consent agreement system will promote its original intent. However, I would ask that in your examination, you consider how the current retransmission consent market affects smaller operators. It concerns me that smaller cable providers often pay significantly higher retransmission consent fees than larger providers for the same broadcast signals. I urge you to take the concerns of smaller providers into account as you develop new rules to promote a more equitable market that will discourage undue price discrimination.

Specifically, it has been brought to my attention that broadcasters are increasingly agreeing to jointly negotiate retransmission consent for multiple affiliates in the same market when the stations are not commonly owned. Additionally, broadcast networks and local broadcast stations are increasingly interfering in the negotiations of rural cable operators who seek retransmission consent from adjacent market stations that historically have been available to their customer base. These practices increase carriage fees and disruption for consumers during negotiation impasses.

*MB*  
*Retransmission*  
*525*

The Honorable Julius Genachowski

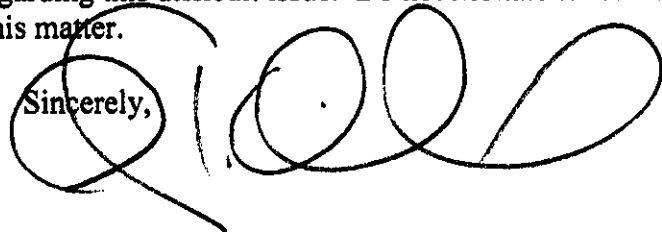
April 20, 2011

Page 2

Finally, I urge you to complete this rulemaking in time for any adopted rule changes to govern this year's carriage talks. With more than a thousand carriage deals set to expire by the end of this year, it is essential that these new rules be in place to help avoid the types of carriage disruptions for consumers that we have seen occur in increasing frequency.

Again, I appreciate your efforts regarding this difficult issue. Do not hesitate to let me know if I can be of further assistance in this matter.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned to the right of the word "Sincerely,".

Peter J. Visclosky  
Member of Congress

PJV:en



FEDERAL COMMUNICATIONS COMMISSION

June 14, 2011

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Peter J. Visclosky  
U.S. House of Representatives  
2256 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Visclosky:

Thank you for your letter concerning the Commission's *Notice of Proposed Rulemaking* to consider possible amendments to its rules governing retransmission consent negotiations between television broadcasters and multichannel video programming distributors (MVPDs). I appreciate your support of the Commission's action in this important matter. Your letter has been placed in the record of the proceeding, and your views will be carefully considered.

As you note, there have been significant changes in the video programming marketplace since the retransmission consent regime was adopted by Congress in 1992. Our goal in the proceeding is to take a fresh look and update and clarify our rules within the scope of the current statutory framework. We requested specific information regarding the concerns raised by small MVPDs, such as those in your District, and will carefully evaluate the record before us.

The public comment period is scheduled to close on June 27, 2011. The Bureau then will begin its review and make recommendations for the full Commission. We intend to complete our review expeditiously.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to be "J. Genachowski", is written over the typed name. The signature is fluid and stylized, with a long horizontal stroke extending to the right.

Julius Genachowski